

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 22-24075-CV-WILLIAMS

CARLOS BRITO,

Plaintiff,

v.

FLAMINGO EAST LTD., *et al.*,

Defendants.

ORDER

THIS MATTER is before the Court on the Parties' Second Amended Joint Motion for Approval of Settlement Agreements ("**Joint Motion**") (DE 35). This matter involves claims brought under the Americans with Disabilities Act ("**ADA**"), 42 U.S.C. § 12181, et seq. Upon review of the Joint Motion, the Settlement Agreements attached to the Joint Motion ("**Settlement Agreements**"), the record, and applicable law, the Court finds the Settlement Agreements to be fundamentally fair, adequate and reasonable to improve access for persons with disabilities to the property at issue, and to otherwise meet the purposes of Title III of the ADA with respect to the Plaza (as defined in the Settlement Agreements). *See Leverso v. SouthTrust Bank of AL., Nat. Assoc.*, 18 F.3d 1527, 1530 (11th Cir. 1994). As such, the Court finds that the modifications required in the Settlement Agreements are the only readily achievable modifications to the Plaza required under the ADA, and that the Plaza will be ADA compliant upon completion of the modifications required in the Settlement Agreements. Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. The Parties' Second Amended Joint Motion for Approval of Settlement Agreements (DE 35) is **GRANTED**.
2. The Parties' Settlement Agreements are **APPROVED**.
3. This action is **DISMISSED WITH PREJUDICE**.
4. This Court retains jurisdiction for twenty-four (24) months from the date of entry of this Order to enforce the Settlement Agreements.
5. Each party shall bear their own attorney's fees and costs except as otherwise provided in the Settlement Agreements.
6. All pending motions are **DENIED AS MOOT**.
7. This case remains **CLOSED**.

DONE AND ORDERED in Chambers in Miami, Florida, this 24th day of July, 2023.



KATHLEEN M. WILLIAMS
UNITED STATES DISTRICT JUDGE